

1 **WAGANAKISING ODAWAK STATUTE**
2 **ELDERS' FOOD, UTILITIES AND MEDICAL COST STATUTE**
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5 **SECTION I. PURPOSE**
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7 The purpose of this Statute is to create a program for the Little Traverse Bay Bands of Odawa Indians Elders. The
8 Elders' Food, Utilities and Medical Cost Program will provide funds for food, utility and medical costs to promote and
9 improve the general health and welfare of the Little Traverse Bay Bands of Odawa Indians Elders.
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12 **SECTION II. GENERAL WELFARE EXCLUSION**
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14 As stated by the requirements of the United States Internal Revenue Section 139E, the Elders' Food, Utilities and
15 Medical Cost Program meets the criteria of the United States *Public Law* 113-168, Tribal General Welfare Exclusion
16 Act of 2014 and WOS 2017-002 General Welfare Statute.
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19 **SECTION III. DEFINITIONS**
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- 21 **A.** “Tribal Elder” for the purpose of this Statute means an enrolled Tribal Citizen of the Little Traverse Bay Bands
22 of Odawa Indians who is at least fifty (55) years of age as of December 31 of the current calendar year.
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24 **B.** “Department” means the Department of Kikaajik.
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26 **C.** “Program” means the Elders' Food, Utilities and Medical Cost Program located within the Executive Branch of
27 the Tribe.
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29 **D.** “Tribal Citizen" means a person enrolled with the Tribe.
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31 **E.** “Tribe” or “LTBB” means the Little Traverse Bay Bands of Odawa Indians.
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1 **SECTION IV. APPLICATION**

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- 3 **A.** The program shall be administered by the Department of Kikaajik.
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- 5 **B.** Program funds shall be paid directly to the Tribal Elder.
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- 7 **C.** Application shall be made available upon request from a Tribal Elder and shall also be available on the Tribal
- 8 website.
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- 10 **D.** Applications shall be deemed completed if they contain the following information:
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- 12 **1.** Name, contact information;
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- 14 **2.** Enrollment number;
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- 16 **3.** Date of birth;
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- 18 **4.** Dated signature of the Elder applying for the program certifying that the funds will be used
- 19 toward food, utility or medical expenditures. Food, utility or medical expenditures include groceries,
- 20 paper and cleaning products, electric services, gas service, propane, cable, satellite service, internet,
- 21 doctor office visits, co-pays, prescriptions, vitamins, dental care, vision care, hearing care, hospital
- 22 costs, nursing home care, nursing care, and other related expenditures.
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- 24 **E.** Applications shall be accepted through November 30th of the current calendar year and funding shall only
- 25 apply to the current fiscal year.
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- 27 **F.** Applications shall not be accepted for past or future fiscal years.
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30 **SECTION V. FUNDS**

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- 32 **A.** Elder payments shall be at least four-hundred dollars (\$400.00) per fiscal year.
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1 **B.** Elders payment shall be at least seven-hundred dollars (\$700.00) per fiscal year for Elders that are seventy (70)
2 years or older.

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4 **C.** The annual Executive budget shall include a line item to fund the Elders' Food, Utilities and Medical Cost
5 Program.
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8 **SECTION VI. POSTING REQUIRED**
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10 **A.** The Department shall post on the Tribal website the amount of the Elder's payment for the upcoming
11 fiscal year by January 1st of each year.
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13 **B.** The Department shall post on the Tribal website an updated version of the application to the Tribal
14 website by January 1st of each year.
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16 **C.** Staff will place an updated version of the application in the January issue of the Odawa Trails Newsletter
17 every current calendar year
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20 **SECTION VII. SEVERABILITY**
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22 If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for any reason, held invalid or
23 unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and
24 independent provision and such holding shall not affect the validity of the remaining portions thereof.
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26 **SECTION VIII. EFFECTIVE DATE**
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28 Effective upon signature of the Executive or thirty (30) days from Tribal Council approval whichever comes first
29 or if the Executive vetoes the legislation, then upon Tribal Council override of the veto.
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CERTIFICATION